104

NARCOTICS TRAFFICKING IN AFRICA

Y 4. IN 8/16: N 16/3

Narcotics Trafficking in Africa, 10...

HEARING

BEFORE THE

SUBCOMMITTEE ON AFRICA

OF THE

COMMITTEE ON INTERNATIONAL RELATIONS HOUSE OF REPRESENTATIVES

ONE HUNDRED FOURTH CONGRESS

FIRST SESSION

MARCH 24, 1995

Printed for the use of the Committee on International Relations

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NARCOTICS TRAFFICKING IN AFRICA

FRIDAY, MARCH 24, 1995

HOUSE OF REPRESENTATIVES,
COMMITTEE ON INTERNATIONAL RELATIONS,
SUBCOMMITTEE ON AFRICA,
Washington, DC.

The subcommittee met, pursuant to call, at 9:30 a.m., in room 2172, Rayburn House Office Building, Hon. Ileana Ros-Lehtinen (chair of the subcommittee) presiding.

Ms. ROS-LEHTINEN. The subcommittee will come to order. I want to thank all of you for coming today for this very important hearing on narcotics trafficking in Africa. It has been my objective when addressing the issues affecting the African continent, to approach them from a realist perspective, placing U.S. national security interests at the forefront of the discussion.

While we must remain sensitive to the historical, cultural, and economic factors shaping developments in the African countries, we must never forget our role and our responsibilities as Members of the U.S. Congress.

In doing so, we have chosen to focus on a topic today, which strikes at the core of both U.S. domestic and foreign policy. That is the issue of narcotics trafficking in Africa.

Heroin seizures are now commonplace in Africa with Nigeria playing a pivotal role as a distribution center. Nigerians seem to surface everywhere in the heroin trafficking networks, paralleling the omnipresence of Colombian drug lords in the cocaine trade.

The international airport in Ethiopia is being used as a key transit point for heroin shipments destined for Europe and North America. Cote D'Ivoire is a regional hub for heroin and cocaine shipments. Egypt is also a transit point for opium, and Ghana, Sierra Leone, and Botswana are all becoming transit routes for various types of illegal drugs destined for U.S. ports.

As we have witnessed in recent decades, the illicit drug trade leads to violence and terrorism. This in turn leads to greater instability in the region, creating grave security risks for the United States.

Zambia has already fallen victim to such violence. Just last week on Thursday, there was a malicious and vicious gunning down outside of the suburban home of a Zambian drug enforcement officer. Micasa was the first Zambian drug enforcement commission agent attacked in the ongoing battle between drug traffickers and the current Government of Zambia.

Lesser attacks have been conducted against other drug commission commanders and top investigators. Furthermore, drug related

corruption has already infiltrated the highest levels of the government, as several ministers have been forced to resign in the face of an investigation into the illegal narcotics network.

The situation is not exclusive to Zambia. There are reports that criminal elements tied to the drug trade are gradually undermining the legitimacy of other African countries, placing new and fragile democracies in a very precarious situation.

We must come to terms with the truth. Narcotics trafficking in Africa is a disaster waiting to happen. We cannot, I repeat we cannot, allow the U.S. Government to be intimidated in the fight against drug lords wherever they may be.

The U.S. Government must aggressively pursue and pressure any government that is a direct or indirect partner in the illicit drug trade. These drugs are destroying our future by destroying our children. We must stop disguising this threat with euphemisms. We may have won some battles, but the war on drugs is not over. We must protect our borders, and safeguard our society from these pollutants, by whatever means necessary.

And now I would like to proceed with the introduction of our speakers for today's hearing. Here to discuss the approach and the status of current programs and other efforts undertaken by the U.S. Government are Ambassador Cresencio Arcos and Mr. Robert Nieves.

Ambassador Arcos is a career Foreign Service officer having served in various capacities in Portugal, Brazil, the former Soviet Union, and Honduras. From 1985 to 1986, he served as the State Department's Deputy Director of the Nicaraguan Humanitarian Assistance Office. He later served as Deputy Coordinator of the Office of Public Diplomacy for Latin America, and as Deputy Assistant Secretary for Inter-American Affairs.

In December of 1989, he was appointed as U.S. Ambassador to Honduras, serving in this capacity until July 1993 when he was named to his current post.

Welcome, Ambassador Arcos.

Mr. ARCOS. Thank you.

Ms. ROS-LEHTINEN. Our second speaker, Robert Nieves, is the Chief of International Operations for the Drug Enforcement Administration. Mr. Nieves has served 25 years in the DEA in posts both domestic and foreign. Immediately prior to his current position, he served as chief of the major investigations division of DEA.

Thank you both for being here today. Before I recognize you for your statements, I would like to recognize Congressman Alcee Hastings, also of South Florida, for his opening statement.

Mr. HASTINGS. Thank you very much, Madam Chairwoman. Thank you for holding this hearing. I am not going to make an opening statement in the interest of time, and I apologize to you. I am going to be in and out of the meeting because I have another meeting down the hall. I am delighted that our witnesses are here. Thank you again for holding the hearing, Madam Chairwoman.

Ms. ROS-LEHTINEN. Thank you very much.

Ambassador, if we may begin with you.

STATEMENT OF HON. CRESENCIO ARCOS, PRINCIPAL DEPUTY ASSISTANT SECRETARY FOR INTERNATIONAL NARCOTICS AND LAW ENFORCEMENT AFFAIRS, DEPARTMENT OF STATE

Mr. ARCOS. Thank you, Madam Chairperson. And Congressman Hastings.

It is a pleasure to join Mr. Robert Nieves of the DEA at the witness table, and be with you today to discuss narcotics concerns in Africa, and the President's recent certification determinations.

I have a written statement that helps put our narcotics concerns in a larger global context. If you would permit me, Madam Chairperson, I would like to submit it.

Ms. ROS-LEHTINEN. We will enter it in the record. Thank you, Mr. Ambassador.

Mr. ARCOS. Thank you. And I will focus my brief oral remarks on the country of greatest concern to all of us here today, which is Nigeria. I have met with several members of this committee over the past few years. This is the first time, however, that I have come before you to discuss Africa. And that is not good news, let me say.

Do not get me wrong, Madam Chairperson. It is a pleasure to be here. And I am delighted to be testifying. But I am sorry that it is necessary to testify about drugs and counter-narcotics cooperation in Africa, and particularly in Nigeria.

As every member of this subcommittee knows, when we talk about Nigeria, we are talking about a nation key to U.S. interests in the African continent. It is the regional power of sub-Saharan Africa. It is a major player in the United Nations and other international organizations. It has the largest economy on the continent north of Johannesburg. It is the third largest supplier of crude oil to the United States.

We do not take Nigeria lightly. This is an important bilateral relationship. You know it, I know it, and the Government of Nigeria knows it. Consequently, when the President communicated to Congress on March 1 his determination for the second consecutive year to deny narcotics certification to Nigeria, he sent a very clear signal of just how serious narcotics concerns are.

What are these concerns? In a nutshell, we believe that for the past 2 years that the Government of Nigeria has not developed or implemented a serious counter-narcotics program. There has been no systematic effort against the narcotics courier and trafficking organizations operating in Nigeria. Insufficient efforts to seize and extradite fugitives from U.S. justice now residing in Nigeria.

No seizures of the massive quantities of narcotics transiting Nigeria on their way to our cities and streets. No prosecutions or convictions of Nigerian traffickers. No systematic or comprehensive sharing of law enforcement intelligence with U.S. agencies concerning Nigerian traffickers and operations.

And failure to adopt a national strategy that might at least suggest a future commitment by the government to take on the narcotics organizations in the future.

Could we make the same criticisms about other countries in the world? Of course, we could. But there is an important difference concerning Nigeria. Over the past 10 years, and for no logical reason of geography or climate, Nigeria has become home to some of

the largest most sophisticated narcotics trafficking organizations on the planet.

Their corruption has spread beyond Nigeria to the entire region. Their victims range from the poor laborer murdered on the streets of Lagos for being at the wrong place at the wrong time, to the American teenager on the streets of Washington murdered by an overdose of heroin transported from Burma to America by Nigerian couriers.

Madam Chairperson and members of the committee, we are the victims of this tragedy. And we expect the help of the Nigerian Government in finding solutions.

I am not here, let me say, to engage in Nigeria bashing. The relations between our nations are too important for grandstanding. Indeed, I acknowledge here and now that over the past 3 months, there have been hopeful signs coming from Lagos, suggesting a real commitment to tackling the narcotics crisis. We will see.

I am also not here to discuss the current Nigerian Government's record on democracy, free elections, respect for human rights, or civilian control over the military. Nonetheless, I applaud those voices from this committee, who have addressed these issues head on.

But let me be clear on why I am here before this committee today. For the second consecutive year, the President has determined that the Government of Nigeria failed to cooperate fully with the United States on efforts against narcotics, or comply fully with the terms of the U.N.-Vienna convention on drugs.

This administration is ready to cooperate with Nigerian efforts against narcotics, but it is not ready to certify Nigeria until it takes concrete actions.

One, it must slow the flow of drugs through Nigeria. Two, it must arrest and convict major Nigerian traffickers. Three, there must be real steps taken to dismantle trafficking organizations built in Nigeria over the past 10 years. Four, fugitives from U.S. justice hiding in Nigeria must be returned to the United States. Five, there must be some evidence or attempts to build a judicial system capable of meting out fair but authentic justice to traffickers in Nigeria.

These are difficult steps and serious goals. We are ready to offer cooperation and assistance. But we can ask no less of the Government of Nigeria, because we owe no less to the people of America.

Madam Chairperson, I realize that this is not a budget hearing, but I want to close with a brief word about resources. We need your help, and the help of this committee. The international threat of narcotics to the United States is getting worse, not better. Yet for the past 2 years, the State Department's narcotics bureau, the point of the spear of American efforts overseas, have absorbed budget cut-backs averaging 35 percent across the board.

I do not want to assign blame between the legislative and executive branches. There is plenty to go around perhaps. But no one, from whatever end of Pennsylvania Avenue or whatever side of the aisle, no one can deny that our counter-narcotics efforts will suffer, if we do not support them with adequate resources.

These are indeed hard times for program budgets. I readily acknowledge this. The International Narcotics and Law Enforcement Bureau is ready to do more with less. The serious and firm certifi-

cation process of the past 2 years speaks for itself. This year, we have sent up to Congress a budget request of $213 million to cover the International Narcotics and Law Enforcement Bureau's programs in fiscal year 1996.

It is not just what we want. It is what we need. And I hope that we can count on your support as the budget works its way through the legislative process.

Madame Chairperson, and members of the committee, thank you for the opportunity to be here today. And I will look forward to working with you in this 104th Congress. Thank you, very much.

[The prepared statement of Ambassador Arcos appears in the appendix.]

Ms. ROS-LEHTINEN. Thank you very much, Mr. Ambassador.

We are greatly honored to be joined today by Congressman Ben Gilman of the International Relations Committee. You can imagine how stretched he is with his time and many demands, but his presence here clearly demonstrates his great interest in the issue of narcotics trafficking throughout the world.

In fact, Chairman Gilman has now instituted a special task force of the different subcommittees to address this issue. We would be working with the Government Reform Committee, which is going to do a similar task force on the domestic side. The Representative from our subcommittee is Congressman Mark Sanford of South Carolina, and he will make sure that the issue of drug trafficking and international drug trafficking receives the priority attention that it deserves.

Once again, I welcome Chairman Gilman to our subcommittee, and I am pleased to recognize him at this time.

Mr. GILMAN. Thank you, Madam Chairperson, for allowing me to participate in what I consider to be a very important hearing on narcotics, and narcotics on the African continent. And let me congratulate you for taking the time to look into this important topic.

The drug crisis in our Nation continues to escalate, and becomes worse than it has been for many years. As members of our International Relations Committee, there is much we can do in the fight against drugs before they reach our shores. And in the last few years, we have not been doing enough in that direction.

And I am pleased that we have both Secretary Arcos with us, our former Ambassador; and Chief of International Operations, Mr. Nieves from our Drug Enforcement Agency participating today.

The problem of Nigerian drug trafficking, as Mr. Arcos has pointed out, has not received the attention that it deserves. And today, hopefully, we can start to turn that around.

Nigerian couriers are responsible for a large portion of the heroin and cocaine that enters our Nation. Additionally, Nigeria is becoming an important center for international drug money laundering.

Back in my district in New York several weeks ago, I was informed by the DEA that the heroin entering the United States is pure and cheaper than it has ever been before. The State Department and the Drug Enforcement Agency have done an excellent job of identifying Nigeria as a major source of drug trafficking and taking punitive measures against Nigeria.

The administration should receive credit for decertifying Nigeria in the last 2 years. But I think that we can explore additional pol-

icy options. We must get to the mechanisms that have allowed Nigerians to be such effective drug couriers, i.e. passports and visas. As a condition of recertification, Nigeria should cancel the passports of all known or suspected drug couriers.

Also, Nigeria must establish in law harsher penalties for the document fraud that facilitates this kind of trafficking. We increased penalties for visa and passport fraud in the United States in the last Congress. We see no reason why Nigeria cannot do the same.

Madam Chairperson, let me again thank you for holding what I consider to be a very important hearing, and for your leadership on this issue. You have an excellent panel of witnesses today, and we look forward to hearing their testimony. And I look forward to more work by our other subcommittees in the direction of trying to reduce the supply.

We are doing some more work on reducing demand in our own country, but we cannot do enough in reducing the supply that comes from the drug producing countries.

Today, the *Washington Post* carried an article describing Burma as one of the largest exporters, and how little we have been able to do in stemming the flow of narcotics from Burma. And I hope that our Subcommittee on Asia and the Pacific will take a good look at that drug problem.

Thank you, Madam Chairperson.

Ms. ROS-LEHTINEN. Thank you, Mr. Chairman. As we have all heard this morning, this is definitely going to be a very important topic of the subcommittee's work in this coming Congress. Therefore, it is a warning and a message to all of those countries that are engaging in illegal narcotics trafficking throughout the world.

Mr. Sanford, if you would like to make an opening statement, or should I continue with the witnesses?

Mr. SANFORD. I have no statement.

Ms. ROS-LEHTINEN. Thank you.

Mr. Nieves. Thank you so much.

STATEMENT OF ROBERT J. NIEVES, CHIEF OF INTERNATIONAL OPERATIONS, DRUG ENFORCEMENT ADMINISTRATION, DEPARTMENT OF JUSTICE

Mr. NIEVES. Thank you, Madam Chairperson. And Chairman Gilman, and members of the House International Relations Subcommittee on Africa, I too, appreciate this opportunity to appear before you today with my friend and colleague, Ambassador Arcos, to discuss the drug trafficking situation in Nigeria, and how DEA is responding to the threat posed by West African, primarily Nigerian, traffickers.

I would like to begin today by giving you a brief overview of Nigeria's role in the worldwide drug trade, and provide you with information on how Nigerian traffickers impact on the U.S. heroin and cocaine trade.

However, before I discuss specific West African trafficking methods and routes, I think that it is important to give you a brief overview of the worldwide drug situation, and a description of the major drug entities that DEA faces on a day to day basis.

The bulk of the cocaine traffic in the world had always primarily been generated from two areas in Colombia, Medellin and Cali.

And with the death of Pablo Escobar in 1993, and the disintegration of the Medellin cartel, the Cali Mafia has emerged as the most powerful international drug trafficking organization in history, controlling over 80 percent of the cocaine on America's streets from their sanctuaries outside this country.

On the heroin side of the drug equation, the Shan United Army headed by Shun Sa, the Burmese opium warlord, has become the biggest worldwide producer of heroin. Southeast Asian heroin trafficking is often controlled by ethnic Chinese and West African traffickers, primarily Nigerians, who oversee the smuggling of heroin into the United States. Many of these trafficking organizations are capable of smuggling shipments of 50 to 70 kilograms of heroin into the United States on a regular and continuing basis.

On the home front, since the late 1980's, domestic drug trafficking gangs have become responsible for the vast majority of the violence, which has transformed many of our cities and rural areas into virtual war zones. Today's gangs are well armed and violent, and they have grown from unstructured and undisciplined groups into sophisticated criminal organizations.

Now turning specifically to Nigeria, Nigeria does not produce heroin or cocaine, but Nigerian traffickers are pivotal to the worldwide trafficking of both substances. Nigerian smugglers are a major force in the U.S. drug trade, and they are responsible for smuggling heroin into the United States.

These traffickers have become more sophisticated in the past decade. They have a worldwide network of couriers and routes to facilitate their work. And they are extremely resourceful and creative in developing methods for concealing the heroin that they smuggle into this country from Southeast Asia.

Nigerian organizations are often headed by drug barons, who direct trafficking networks from their home base in Lagos. These organizations are formed along tribal lines, and generally are close knit groups of relatives and long time friends. The leaders remain well insulated by directing lower level traffickers to recruit couriers of diverse nationalities and backgrounds, and to organize heroin transportation to the United States.

Couriers working for Nigerian trafficking organizations use a variety of routes to smuggle heroin from Thailand to the United States. Thailand, by the way, is a major Southeast Asian heroin source for Nigerian traffickers.

These organizations dispatch large numbers of couriers who use body carry techniques, false sided suitcases, and often ingestion or swallowing to conceal heroin. The couriers travel aboard commercial airlines from Southeast Asia, often transiting Europe and African bound for the United States. They smuggle from 1 to 10 kilograms of heroin per trip. When they are caught, the average courier will have 5.7 kilograms of heroin on his person.

It is informative to see the lengths to which Nigerian traffickers will go to avoid detection, as they facilitate heroin trafficking into the United States. A few examples of these convoluted routes used by Nigerians traffickers demonstrates this clearly.

In one recently concluded case, two U.S. citizens recruited by Nigerians flew from Baltimore, Maryland to the Netherlands, and then to Nigeria where they were given 6 kilograms of heroin. The

couriers then flew from Lagos to Mexico City, and attempted to cross into the United States at San Ysidro, where they were arrested.

Another interesting development involves Nigerian organizations increasing routing heroin couriers to Chicago by way of Honolulu. As a result, Chicago now serves as one of the most important if not the primary hub of heroin activity by Nigerian groups in the United States.

Last summer at Honolulu International Airport, U.S. Customs officials arrested two British female couriers with 7 kilograms of Southeast Asian heroin concealed in a false sided suitcase. The couriers who were recruited by a female had arrived in Honolulu in a flight from Manila. From Honolulu, the females were to fly to Chicago to deliver the heroin. The controlled delivery of the seized heroin was made by DEA and Customs in Chicago where a British and a Nigerian male were arrested.

We later learned that the group that the courier had belonged to had dispatched four additional couriers on a related drug flight.

Inside the United States, Nigerian organizations operate in several large metro areas across the country including Chicago, Houston, and New York, and supply established heroin distribution networks in cities such as Atlanta, Dallas, New York, and Washington, D.C.

Ms. ROS-LEHTINEN. Mr. Nieves, if I could interrupt you. I just want to express what a pleasure it is for a South Floridian to hear a report on narcotics trafficking and not hear Miami mentioned. Maybe the Chamber of Commerce should put out a press release. Thank you. I am sorry.

Mr. NIEVES. You may have spoke prematurely.

Ms. ROS-LEHTINEN. Oh, well. I am glad I said it now then.

Mr. NIEVES. I will try to delete it for the record.

These networks are capable of supplying multikilo quantities of heroin to their customers on a regular and continuing basis.

To address the problems associated with Nigerian trafficking groups, DEA had undertaken some cooperative efforts with the Government of Nigeria. These efforts, however, have been minimally successful.

The Nigerian Drug Law Enforcement Agency, otherwise known as the NDLEA, is the primary drug law enforcement agency in Nigeria. In March 1991, a NDLEA/DEA task force was created to target major international Nigerian based heroin smuggling organizations. Unfortunately, we have not achieved that goal, because the NDLEA has focused its attention primarily on low level traffickers, and has not taken action against any major traffickers.

The Government of Nigeria appears to have initiated some narcotic related policies. However, none have come to fruition. For example, Nigeria developed a national drug control policy, but did not sign the plan into law. The Nigerian Government also engaged a team of American legal and other experts to examine the nation's money laundering statutes to strengthen them. To date, however, no arrests or prosecutions for money laundering have been made.

There is also a lack of cooperation between the various government agencies in Nigeria, which does not help in bringing drug traffickers to justice.

Last year, the director of the Office of National Control Policy, Dr. Lee Brown, met with government officials in Nigeria to discuss the drug situation. Shortly before his arrival, the Nigerian Government agreed to extradite DEA fugitives to the United States. However, the Government of Nigeria has 10 outstanding extradition requests, six of which are drug related, that they have failed to act on.

Effective law enforcement action therefore against Nigerian trafficking organizations continues to be hampered. Corruption continues to be a problem in the NDLEA and other drug law enforcement agencies in Nigeria. And a lack of cooperation has hindered serious enforcement actions against Nigeria's major heroin traffickers.

Corruption is also a problem in the judicial system. In some instances, suspected drug traffickers have been released from prison without proper authorization, and drug evidence has disappeared before trial, resulting in the release of the suspects.

Adding to our problems are the different languages spoken by these groups and the dialects, which makes it extremely difficult for law enforcement to penetrate the organizations. These language barriers together with tribal based organizational structure of Nigerian trafficking groups represent significant challenges to our ability to conduct wire tap investigations or other effective law enforcement techniques.

Lastly, because they are organized along kinship, political, and cultural lines, it is extremely difficult if not impossible to penetrate these well insulated close knit groups.

In conclusion, let me say that although DEA remains challenged in many respects by Nigerian trafficking groups, we will aggressively continue to address the emerging threat posed by these groups, both nationally and internationally, to uncover where they are vulnerable through aggressive law enforcement programs.

Madam Chairperson, this concludes my statement. And I will be pleased to answer any questions that you, Mr. Gilman, or others on the subcommittee may have. Thank you.

[The prepared statement of Mr. Nieves appears in the appendix.]

Ms. ROS-LEHTINEN. Thank you so much, Mr. Nieves. I was kind of taken back when I looked at us and looked at our names. We have a New York Puerto Rican, a Mexican American, and a Cuban American talking about narcotics trafficking in Africa. Interesting, don't you think?

It is a pleasure to recognize the chairman of our International Relations Committee for a set of questions. Mr. Chairman.

Mr. GILMAN. Thank you, Madam Chairperson.

Can you tell me, either one of the panelists, are there substantial numbers of Nigerians in custody around the globe for drug trafficking?

Mr. NIEVES. I cannot speak to around the globe, sir, but I can tell you that DEA and other Federal agencies have literally arrested hundreds of Nigerians in the past several years. Specific to heroin, for example, in DEA, last year we arrested 83 Nigerians on heroin cases.

Now this figure is down from prior years, but that is largely because the Nigerians have begun to use persons of other nationalities in the furtherance of their crimes within the United States. Al-

though the number may have dropped, their relative importance in the conspiracy continues to be very high. Of course, they work with surrogates of other nationalities.

In Thailand, I am aware that there have been numerous arrests of Nigerian traffickers, and that Nigerians certainly are arrested across the globe. I do not have the exact figures for you, sir.

Mr. ARCOS. Mr. Chairman, on that question, I do not have the exact figures. But let me say that last year on several trips, I went along with Dr. Lee Brown, to the Far East, and also to Southeast Asia, as well as I visited South Asia, and on many trips to Vienna to deal with the United Nations drug control unit, and in Brussels with the European Union, there was not one country that we dealt with that did not have a Nigerian in jail.

In fact, in Singapore, Dr. Brown and I were invited if we wanted to witness an execution of a drug trafficker, but we did not accept the invitation for obvious reasons. But let me just say that this illustrates the gravity—and unfortunately, some of these poor Nigerians that have been dragooned or who have felt compelled for economic reasons to enter this trade, and many of them are suffering the consequences of engaging in the sort of Fed Ex of heroin, if I may.

Mr. GILMAN. The Nigerian drug couriers who are arrested, do they usually have substantial amounts of cash on them, do you know?

Mr. ARCOS. I cannot speak to that personally. I do know of a couple of instances where they had no substantial—usually, the drugs in body cavities, or in suitcases, or something that they accompany. I do not recall anybody telling me the numbers in terms of money.

Mr. NIEVES. My experience as well, Mr. Chairman, is that they do not have substantial amounts. If you are speaking about tens of thousands of dollars, I would say that the answer to that is probably no, sir.

Mr. GILMAN. Mr. Arcos, do you want to add something to your response?

Mr. ARCOS. Here I have a note that the Thai Government has told us that normally when they arrest them, they usually have about $250,000 going into Thailand.

Mr. GILMAN. $250,000?

Mr. ARCOS. $250,000 cash.

Mr. GILMAN. Cash on a courier?

Mr. ARCOS. Yes.

Mr. GILMAN. I would think that is substantial.

Mr. ARCOS. And this is just one country.

Mr. GILMAN. Yes.

Are there any kingpins in the drug trade out of Nigeria that you have depicted or have information on?

Mr. ARCOS. Mr. Chairman, we have. And we have been discussing with the Nigerian Government particularly with the Odelibes brothers, who are still at large.

Mr. GILMAN. What is the name?

Mr. ARCOS. O-D-E-L-I-B-E-S. That is how you spell that name. The Odelibes brothers, and they are still at large. We have asked, and we have discussed this with the Nigerians, not only through the DEA but other agencies of the U.S. Government. I must say

that I think that the Okapala brothers are the ones who have been turned over to us. They were recently turned over to us, and they have been identified. So that is one of the areas, as I pointed out, of improvement in the last few months, that they were able to extradite these brothers, the Okapala brothers.

Mr. GILMAN. Have we identified any organization here in the States that the Nigerians work with?

Mr. NIEVES. Mr. Chairman, the DEA and other Federal agencies have identified numerous groups of Nigerians which are based in Lagos. And yes, they operate in the United States with very sophisticated structures through a series of lieutenants. These lieutenants often have, for the lack of a better expression, what we call dealerships or franchises.

Mr. GILMAN. Are these Nigerian nationals here?

Mr. ARCOS. Nigerian nationals, sir, yes. And then often, as they get into the couriers, and the smugglers, and the people who work for them in some surrogate capacity, is where we begin to see them using other nationals, often Americans or Europeans for example, sometimes older and sometimes younger people, the people who actually do the courier work of smuggling often are no longer Nigerians.

Mr. GILMAN. What is there about Chicago that seems to draw the Nigerian courier traffic to Chicago?

Mr. NIEVES. Apparently, it has a large Nigerian population. It is one of the places in the United States, I think that there are four principal cities where there are large Nigerian populations, so they blend. Why they settled on Chicago, we do not know. But the direct flight from Honolulu to Chicago, or the routing I should say of couriers from Honolulu to Chicago, certainly brought it to the front of the screen in the past year, sir. In Chicago, we are taking very close looks at the Nigerian groups.

Mr. GILMAN. Now there is no production in Nigeria itself, is there?

Mr. ARCOS. There is no production, sir.

Mr. GILMAN. Where is the product coming from principally?

Mr. ARCOS. Mostly Southwest Asia, our best determination is South Asia. And they have connections with elements of either Pakistan or India primarily, or in Burma itself.

Mr. GILMAN. And the Nigerian couriers are bringing it from those areas into Nigeria?

Mr. ARCOS. Through Nigeria, and on into other routes into Europe and the United States.

Mr. GILMAN. Is there any refining done in Nigeria?

Mr. ARCOS. I have no knowledge. We have no knowledge of any refinement. Just basically what they have is just the transiting, unless Mr. Nieves has something.

Mr. NIEVES. No. That is correct.

Mr. GILMAN. Nigeria is basically a major distribution network?

Mr. ARCOS. Exactly.

Mr. GILMAN. And does either the State Department or DEA have any thoughts about what further we should be doing to cutoff this flow?

Mr. ARCOS. If I may on that, Mr. Chairman. We have been discussing with them. Obviously, the important thing is to attack the

kingpins and the organizations, these criminal organizations in Nigeria. I think that is clearly the top priority.

Mr. GILMAN. But from your testimony, you indicate a lack of cooperation by Nigeria.

Mr. ARCOS. There has been a lack of cooperation, except in the last 3 months what we have seen with the Okapala brothers being turned over to us. But by and large, as Mr. Nieves has mentioned in his testimony, they have gone after the lower echelon couriers and not really the kingpins or the capos.

The other thing that is of concern to us, Mr. Chairman, when we talk about Nigeria, in the last visit, in the state visit to Washington when Mr. Mandela came, and the preparations that led to that visit, we discussed with the new South African Government the security concerns that they have, and narcotics is right up there. They mentioned to us that they had over 50,000 illegal Nigerians in South Africa, and many of them dealing in narcotics. And they also shared with us, the South African Government, the concerns that they had of the influence of the Nigerian criminal organizations in neighboring countries and Africa.

And this is becoming quite a concern to us. We also know that there are now some contacts between Colombia organized groups, such as the Cali cartel, and also Russian organized groups or East European groups that are also talking.

What you have, Mr. Chairman, here is a globalization of this problem, not only with the Nigerians but with the help of other criminal organizations, be it in this hemisphere, or in Europe, or in Asia, or Africa.

Mr. GILMAN. Have we found corruption at higher levels of government in Nigeria?

Mr. ARCOS. The indications are there that corruption is rampant at all levels of the government.

Mr. GILMAN. Well, I would hope that you would at least press Nigeria to canceling passports and getting tough on document fraud, at least accomplish these restrictions initially besides pressing the government in whatever means we can to do more.

Thank you, Madam Chairperson.

Mr. ARCOS. Thank you.

Ms. ROS-LEHTINEN. Thank you very much, Mr. Chairman, for joining us for this important hearing.

I would like to ask you about what we have seen in Latin American countries, that narcotics traffickers are known to provide funds or weapons to guerrilla groups and insurgent movements.

Has any link been established between the narcotics trafficking network and insurgent movements in Africa?

Mr. ARCOS. I am unaware of that. Maybe there is something there, but I am unaware of it at this point, Madam Chairperson.

Mr. NIEVES. DEA does not have information in that regard either, Madam Chairperson.

Ms. ROS-LEHTINEN. It has been said that one of the main loopholes in getting African countries to cooperate with us, and they have actually used this to evade the question of international cooperation, drug interdiction, investigation, and prosecution, is that several African nations are not signatories to international agreements, and many do not even have bilateral counter-narcotics or

extradition agreements with the U.S. Government or any other government.

Is that so, and if so, why not, and what steps can the United States take to close these loopholes. Also, are we involved in any negotiations to achieve any binding counter-narcotics and extradition accords with African governments?

Mr. ARCOS. Thank you. If I may. You know, narcotics trafficking, as we have been discussing here in Africa, is a concern particularly in West Africa. The problem that we face in many of these countries is the weak infrastructure and the corruption problems, particularly brought on by the traffickers.

We have been talking about Nigeria, but there are indications that Liberia and Sierra Leone are being increasingly used as staging areas by Nigerian traffickers. The Government of Ghana in contrast has been engaged for some time in actively combating the spread of narcotics trafficking through its territory.

Ethiopia is another focus for narcotics traffickers in Africa. The Ethiopian Government has been working to develop an active program of airport interdiction to fortify its national airline against trafficking cartels seeking cost effective or reliable international air routes. And the Government of Ethiopia has reported success in reducing the use of Air Ethiopia by Nigerian traffickers.

In the Southern African region, South Africa is the major consumer country for Mandrax, which is methaculum mixed with a histamine produced in Southwest Asia. Mandrax is imported into South Africa through Kenya, or Tanzania, or both, primarily by ethnic Indian and Pakistani trafficking organizations. The drugs then move over land through Zambia and Zimbabwe to South Africa.

Mozambique also is increasingly a major trans-shipper of Mandrax. South African ports are also being used in the Mandrax trade. There is a growing body of evidence that the traditional Mandrax routes are now being used to move heroin and cocaine as well.

There have been recent reports of cocaine trafficking increasing through Gabon, Zaire, and Equatorial Guinea. There is little information available on these trade routes as of now, Madam Chairperson.

Increased drug trafficking in Africa is translated directly into increased drug consumption and abuse, and increased criminal activity. And if I may directly answer your question here, I want to give you this overview of what the situation is.

Many of these countries, particularly a country like Chad, may have the will to combat, and way have the will to accede to the U.N. conventions, but it has no capability. It has virtually no infrastructures, the poverty and the lack of institutions.

So when we go through the certification process, Madam Chairperson, we look at the capability of a country, the capacity of being able to deal with their problem. Most recently, let me just give you a graphic example of the problem of capability.

Interestingly enough, when I was in Straasborg last year with the European Union meeting on the issue of drugs and narcotics, one of the Swiss officials came up to me. And as you know, Switzerland is not a member of the EU or the United Nations. And they

came up to me and said that they have an enormous problem now of heroin entering Switzerland, because of the Balkan problem. And there are a lot of illegal Cosovians, and Albania, and other Balkan type ethnic groups engaging in the trafficking of heroin.

Here is a country very rich like Switzerland and a very wealthy country. But because they have never had this problem, and they have not had the security forces trained for this, they almost have the capability of dealing with the problem as one of the poor African countries.

Ms. ROS-LEHTINEN. But should we be stressing that some of these agreements be signed with these countries?

Mr. ARCOS. We are indeed. We do stress that at all fora that we attended, whether it is in Vienna, whether it is in Brussels, or other organizational group meetings.

Ms. ROS-LEHTINEN. Those who have signed such agreements, are they holding up to their part of the contract?

Mr. ARCOS. The compliance is always a problem, which we look at in the certification process. And this is why when we look at a country like Nigeria, which we feel has the capability and the wealth, one of the richest countries in Africa, but quite frankly the will has not been there.

You could begin to say well, other countries have a similar problem, and are not being decertified by the United States. The issue is there, and we look at their capability to deal with the problem.

Ms. ROS-LEHTINEN. Thank you. Following up on the chairman's remarks about passports and fraudulent documents.

Is this the type of pressure that the United States should be applying more of in these countries, what are some of those sanctions, or pressure, or items that we are stressing to the countries, what are the weapons that we can use to get the countries in Africa to cooperate with us?

Mr. ARCOS. Well, clearly, the certification process is a weapon. Because the implication and the effect of a decertification presents a problem in the international community, particularly in the financial area where we by law are then forced to veto access to funding from the international financial institutions, such as the World Bank, or the African Development Bank, wherever we participate. That is a problem. EXIM Bank loans, that is a punishment. That is a penalty there.

So they know that decertification can present that problem. I think that this is a main weapon that we have. Clearly, Madam Chairperson, the problem of fraudulent documentation is a problem that we are beleaguered by, not only with Nigeria but the world when we look at the Middle East, and when we look at counterfeit money, and when we look at fraudulent passports, ID cards in this country, Social Security cards, all sorts of documentation.

The technology that we have now makes it so easy, and very difficult at times to detect. Increasingly, we are always trying to follow on the technology end of it. We make every effort. We work very closely with the law enforcement agencies of the U.S. Government, be it Treasury, Justice, and other agencies to try to deal with this issue. But at the political level, we use the instrument that we have, which is the best one right now related to narcotics, which is the certification process.

Ms. ROS-LEHTINEN. Thank you. Mr. Hastings.

Mr. HASTINGS. Thank you very much, Madam Chairlady. And I thank both the witnesses. And I hope that it is not misconstrued as a criticism of the activities of either of you gentlemen or the agencies that you represent, but there is a certain level of frustration that I think all of us as Americans experience that somehow or other has to be put into perspective. And the subject of decertification is very confusing.

For example, is Mexico decertified?

Mr. ARCOS. It is not. It received full certification.

Mr. HASTINGS. Right. And why that troubles me, if I follow what you just had to say, that you look at a country's capability to deal with the problems. Now ostensibly, we have no problems entering into treaties and all sorts of undertakings in an effort to help Mexico, and the United States, and Canada, and the Western Hemisphere. And on any given day, as many drugs come from Mexico as come from Nigeria, transshipped or otherwise.

And Pakistan and India, two other areas that you suggest allow for their drugs to be transshipped to Nigeria to be transshipped elsewhere in the world. And yet neither of them are decertified. And we continue to do business with them.

Somewhere along the line, somebody is going to raise a serious question of is it just making Africa the continent continue to be a battleground rather than a marketplace in a very similar way that other areas are marketplaces.

Let me make it very clear. There is nothing worse on earth than the scourge of drugs, nothing. Having said that, your efforts and the President's efforts on decertifying Nigeria are not going to work. And what they are going to do is they are going to hurt American business investment. It is not stopping France from going into Nigeria and doing business. It is certainly not stopping Japan. They are knocking the door down to get into Nigeria to do business.

And my concern is do we have triple standards around the world. Now I want to make it very clear. I have been to Nigeria, and I have talked to our DEA officials there who see it as a hopelessly corrupt area. I have talked to folk on the ground in Nigeria, who feel that it is problematical. And being going there, I was in Cote d'Ivoire, and I am street wise, and I watched people that were involved in transshipment of drugs just because I know what is happening. I come from Miami, do you understand?

And having said that, I think that we need to evaluate this in a different context than we are putting forward. Before I vote for another nickel for Russia, I am going to want to know what about Russia and narcotics, and whether or not they are decertified.

In short, let us treat Nigeria just like we treat every damn body else in the world. If they are a marketplace, then let the marketplace dictate its own set of circumstances. And then not give you all the woefully inadequate resources, $1½ million, to deal with Asia, and Africa, and Europe in some kind of effort to do something about law enforcement and narcotics control. That is just so much hoi-poloi.

If this country is serious about wanting to do something about narcotics control, then what we ought to do is put the resources in

your hands and your agencies in order to be able to do something about it, and not just go around the world and identify a handful of problems, and sit up and have a nice hearing, and say Nigeria is bad. Nigeria is bad, but so is Colombia, and so is Chile, and so is Brazil. And I can count on, and on, and on. And I have told you, Mexico is our closest neighbor, and Canada does not go without scathing attack on transshipment of drugs either.

Having said that, I don't have no questions.

Mr. GILMAN. If the gentleman would yield a moment.

Mr. HASTINGS. Indeed, Mr. Chairman.

Mr. GILMAN. There is a classification, as you know, for those countries that fully cooperate with us, even though they may have some drug problems. And we have a number of countries. The Bahamas, Brazil, China, the Dominican Republic, Ecuador, Guatemala, Haiti, Hong Kong. Countries that have a problem, but are cooperating with us.

And there is another category of not fully cooperating, but retaining U.S. cooperation because of U.S. national security interests. And the President has to define those nations.

Mr. HASTINGS. Mr. Chairman, most respectfully——

Mr. GILMAN. And we have Bolivia, and Colombia, and Lebanon, Pakistan, et cetera. But denied certification on cooperation are Burma, Iran, Nigeria, Syria, Afghanistan.

Mr. HASTINGS. And I do not think that it makes a hill of beans of difference. We spend half our money in Afghanistan. And with all due respect to you, Mr. Chairman, words are easy to come by, and treaties are easy to sign. And people say things. We have had treaties with Colombia on extradition. And Pablo Escobar had to be killed in Colombia. You know, there is no great extradition movement in progress. We cannot even get our own persons who come from Mexico who commit crime in America not just in the drug arena, we cannot even get Mexico to send them to us.

To say that they are cooperating, I can give you examples of cooperation in Nigeria. They have done one hell of a lot in the airport arena in trying to do something about their problem. They did send us six of the narcotics traffickers. And that is probably more than we have ever gotten from Pakistan or from anywhere else around the world.

In other words, we have different standards. And we need to admit that we have different standards. Now I can deal with that. I do not like Nigeria's drug trafficking. But I do not like them any less than I do not like Mexico and all of these other people that we do business with on a day to day basis as well.

Mr. GILMAN. Well, just to respond to the gentleman. There was a serious attempt to define these various categories, so that we would not be discriminating against any one country. It makes it very difficult for the administration to arbitrarily define which nations are cooperating, and which are not cooperating, and who to decertify. And we have gone through that process for a number of years, trying not to discriminate, but trying to put pressure on those nations that have not been fully cooperative.

Mr. HASTINGS. But Mr. Chairman, could you tell me, just to continue the dialogue between you and myself, why Pakistan and India, where the drugs are manufactured, that get to Nigeria to be

shipped, why Pakistan and India are treated differently on the subject of certification?

Mr. GILMAN. Apparently, both of those nations have been cooperative with our own nation in trying to get to the problem.

Mr. HASTINGS. Well, then do not cooperate with me, if you are going to send me drugs like you are sending them to me. I have a problem with it. I will talk to you more, Mr. Chairman.

Mr. GILMAN. Mr. Sanford.

Mr. SANFORD. If I might, I suppose I will follow up on Congressman Hastings' suggestion that the situation is somewhat desperate. And again, I am a lay person.

How big is 1 to 10 kilograms? You said that an average trafficker carried somewhere between 1 and 10 kilograms on each trip.

Mr. ARCOS. One kilogram is 2.2 pounds. So a false sided suitcase, for example, could possibly contain 3 or 4 kilos, depending on how it was packed, sir. And sometimes on body carries, they can carry 2, 3, or 4 kilos as well.

Mr. SANFORD. And if I remember right from reading one of the magazines, it seemed like a lot of these folks would actually put it in plastic bags and swallow them.

Mr. ARCOS. That is correct.

Mr. SANFORD. And they could carry what, a pound's worth, or how much?

Mr. SANFORD. No. I do not think so. Something on the order of a half a kilo possibly. So we would be talking about something on the order of a little under—in fact, less than that, I am sorry. I will correct myself. 700 grams or something.

Mr. SANFORD. You are paid less if you were to carry a body ingested shipment as opposed to a half side of a suitcase, right?

Mr. ARCOS. That is correct, sir.

Mr. SANFORD. So how much on average would a person make, let us say if you were carrying—you are saying that it is a half kilo that you would ingest or digest.

Mr. ARCOS. I think it is several thousand dollars. I cannot be precise, sir.

Mr. SANFORD. But a couple thousand that way.

And then if you were to carry let us say a half a side of a suitcase, you would make $5,000 or $10,000?

Mr. ARCOS. Maybe not much more. It might be $5,000 or $10,000, that is correct, sir.

Mr. SANFORD. Now for the average Nigerian who is pulled in off the streets, what do they make in Nigeria, just in a normal job?

Mr. ARCOS. It was about $1,000, as late as 1980.

Mr. SANFORD. A year?

Mr. ARCOS. A year. And how it has dropped, because of the economic situation and the political situation. It has dropped down to about $300 per capita a year. It is one of the richest countries in Africa. In fact, it remains still one of the wealthiest.

Mr. SANFORD. So they can make 10 times their yearly income by making one quick trip?

Mr. NIEVES. That is correct, sir.

Mr. SANFORD. So given the fact, I am a capitalist, that the markets are fairly efficient—how many people are there in Nigeria? Again I apologize for my ignorance.

Mr. ARCOS. Ninety-nine million.

Mr. SANFORD. Ninety-nine million folks. So there is almost a limitless supply of folks who could make 30 times what they would normally make in a year's worth of work by being a trafficker. And you all again are given a very restricted budget in terms of combating this. In other words, I cannot see an end to the supply given the numbers that I am dealing with right now.

How do you solve the problem? And also on the demand side of the equation, the British women who were captured in Honolulu, what was their punishment?

Mr. NIEVES. I do not have that information, sir, but we can get that for you.

Mr. SANFORD. Let us say in Singapore, you were invited to an execution.

Mr. ARCOS. Well, they announced that they were having one the next day, and asked us if we were interested in attending.

Mr. SANFORD. Is there a drug problem in Singapore?

Mr. ARCOS. No. They have a death penalty for any carrier, and it is rather draconian to say the least.

Mr. SANFORD. Right.

Mr. ARCOS. Let me just stay with the characterization of draconian the way they treat it. It is a city state. It is much bigger than the District of Columbia. So of course, it is easier to control in terms of their land mass.

Mr. SANFORD. But given the supply quotient that we are dealing with, what are some other ways that we could get around to dealing with the drug problem given those kind of numbers?

Mr. ARCOS. Let me say, Mr. Congressman, and this is something that goes back to Congressman Hastings' concerns, and let me just say if I may, sir, and address some of the concerns that you voiced this morning, because I share your frustration. And sometimes we asked our questions as we went this rather meticulous and delicate process of certification on the issue of Nigeria.

I personally met last year with two former heads of state, met with the former minister, and met with the drug czar, and the finance minister. And we tried to address the issue of how can we work together.

And quite frankly, the answer to your question is I wish I had one. I do not. I feel I am up here, and it is almost a damage control situation. Because this is like a finger in the dike. When you put your finger here, it pops over here.

My own experience in the Bureau, sir, was when we made an effort under the Reagan-Bush administration to show off the whole Florida and Caribbean area on particularly cocaine, I think that we succeeded. But we did not realize that we had moved it in another direction, Mexico.

And as the Congressman mentioned, you know, in any of these countries, poor countries in Latin America, or Africa, or particularly Asia, people are going to seek to make a living. Obviously, this is a quick fix. We have it in our own country where people do not make anywhere as low a figure as that. They are making five times or 10 times more than that, or 50 times more, and are still engaged in this.

So the motive is there, whether it is in Africa, Asia, or here. The issue is how do we control it, and what are the best mechanisms. One, there has to be political will in the country to address that. And we will help in that respect in creating the institutions, particularly in the law enforcement, and in the justice system. Those are the two key areas that we need to work with, the law enforcement and the justice system. That it works, and somehow that that is clear.

Mr. SANFORD. I really struggle with the economics.

Can that ever work, given the fact that what we are saying here is let us say that you made $100,000 last year. This is the equivalent of saying somebody will pay you $3 million to take one trip half way around the world. If you make it back—and the odds from a probability standpoint are probably in your favor—if you make it back, you just retired for life.

Mr. ARCOS. Exactly. I guess what you are saying is how do we stop it.

Mr. SANFORD. Yes.

Mr. ARCOS. Well, the motive, as you said, as a capitalist, the motive is there. What you have in the drug trade are basically two human qualities. I am not sure they are qualities, but they are flaws. One is greed, and the other one is self-destruction of the people who take it. And the greed of the people who traffic it and make money off of it.

So I think that we have these two fundamental human problems involved in this whole drug trade. Forgive me for being a little philosophical about it. So I think that once we understand that, that we know what the task is and how daunting it is.

I do not think that I could stand up here, Mr. Congressman, or Mr. Chairman, and tell you that we have a solution. I think that I stand up here like I am the chief of police of the police department before the city council, and being told one more murder and we shut you down. Well, that will not resolve anything, if we do away with our programs. Because then we have given up.

Mr. SANFORD. And I am not suggesting that. I am just suggesting that I struggle with it. The work that you all do on a daily basis is valiant. But again, when you struggle with the magnitude of this problem, you say is there not some other way to skin the cat, other than trying to deal with corruption that will never stop given the numbers that we are dealing with.

Mr. ARCOS. The other thing that we did not mention here this morning, and we alluded to it, Mr. Nieves did and I, is the issue, and we were just talking about Nigeria and drug courier trafficking, but the issue is there is a huge dimension out there, this traffic according to U.N. figures, the illicit drug traffic, is about $550 billion worldwide.

And you can imagine the money laundering. Of course, the chemicals, and the industries that are making money off of this. The financial interests that are involved in this. The eradication and cultivation issues that we get involved in trying to eradicate poppy and take away a livelihood from a peasant in Afghanistan or a peasant in Bolivia.

So all of these are considerations that we deal with constantly. And either our efforts through alternative development, or sustain-

able development programs, or through eradication programs, or law enforcement programs, and also the chemical controls issues. And more increasingly within the OECD, and the countries in the OAS too, the issue of money laundering, which is very, very difficult. Because it is mingled, commingled, with illicit money, or money that is begotten illegally but not out of the drug trade.

All of this becomes increasingly even more difficult for us and complicated. At the same time, it is part of the whole drug trade. So it is not just this little courier from Nigeria, who introduces this with a condom into his body cavities. It is much more than that. It is a bigger challenge.

Mr. SANFORD. Thank you, Mr. Chairman.

Mr. GILMAN. Just one question of Mr. Arcos. You mentioned a $500 billion worldwide business of narcotics.

What is the total INM budget?

Mr. ARCOS. Our budget is $100 million. It was $155 million 2 years ago, and it is $100 million.

Mr. GILMAN. What did you request?

Mr. ARCOS. We requested last year $213 million last year. I think that total in the Federal Government, I think for international efforts, total with DEA and all of the agencies, it is just about $500 million, half a billion. And I think our Federal budget is $14 billion for all drug related efforts.

Mr. GILMAN. $14 billion.

Mr. ARCOS. I think that is the figure.

Mr. GILMAN. Mr. Houghton.

Mr. HOUGHTON. Yes. Thank you, Mr. Chairman.

Mr. Arcos and Mr. Nieves, thank you very much for being here. You talked about damage control. I guess that we all feel that is the maximum that we can do, just damage control. And it is very frustrating. Because many times when you recognize a problem, there are ways to solve it. And this has not been the case here.

Let me just ask you a couple of questions. First of all, as far as Nigeria is concerned, this is a problem, as it is with Ethiopia, and South Africa, and Namibia, and others in terms of transshipments.

What do the Nigerians do to people who are drug traffickers, and are poisoning their own people?

Mr. ARCOS. You are asking me, sir, what the Nigerians, in terms of their law enforcement, what are they doing to their own people?

Mr. HOUGHTON. To their own people. Forget about the transshipments.

Mr. ARCOS. I cannot address that specifically, because all I know is that we have been trying to get them to arrest the king pins. I understand what they are doing by basically picking up these sort of low level courier types and low level dealers.

Mr. HOUGHTON. When they do that, what do they do to them?

Mr. ARCOS. I think that it is imprisonment.

Mr. HOUGHTON. Is it a slap on the wrist, or is it a death penalty?

Mr. ARCOS. To the best of my knowledge, Nigerian drug laws do not provide for the death penalty for trafficking or for any other drug offenses. Given the severity of the drug trafficking problem, the number of individuals arrested for drug offenses in very low. There were only 300 arrests for drug crimes in Nigeria for the period January–November 1994. Statistics on convictions and pen-

alties imposed are unavailable, but the limited information available suggests that penalties imposed are not harsh.

Mr. HOUGHTON. I mean it would seem to me, and I do not mean to practice narcotics control without a license, because I really do not know what I am talking about here, but it would seem to me that at an absolute minimum that they would do what we do or what the most disciplined country does in terms of their own internal situation in arresting and putting in jail, and whatever the other penalties are.

And if they do that, and they do that same thing to the exporters, then that would be a first step. And if they do not, if they do not even do that, why is it not a perfectly normal thing to say that as of tomorrow morning at 8 a.m., all products from your country are in an embargo.

You know, it is sort of a no brainer, as far as I am concerned. I mean if they do not have any discipline in their own country, and they do not care what happens because there is a foreign exchange benefit, to send something to us, why should we deal with them at all. And if they do, and they are struggling as we are, then fine, let us work closely with them.

But I have a feeling that the people that we are complaining about do not have any discipline within their own system.

Mr. ARCOS. If I may, before I turn it over to Mr. Nieves, just to address that last part of your question or your concern. It seems to us in the business of diplomacy and the business of foreign policy, you know, dealing with the hopelessness that you sort of suggested here that there may be in Nigeria would be terrible.

Because I think that what we are trying to do, Mr. Congressman, is to identify those islands of health in Nigeria. And I mean health here, those islands of people, and there are good people we have talked to, who are trying to do something to improve the situation there.

And I think that we have to identify, and then work with these people, to try to nurture that strength. And if we do not do that, then we have given up. And I do not think that we are willing to do that.

Mr. HOUGHTON. I could not agree with you more. And again, I am not trying to superimpose my own feelings. However, there is the carrot and the stick philosophy. And I am sure that there are little oases of cooperation from people who are trying to help this thing.

But every so often if you say listen, we cannot let this thing go on, and we are doing the best we can, and if anybody is exporting to your country from this area that we are going to have them submitted to the same rules as anyone else, and we expect you to do the same thing. And if not, then we have to take an entirely different way. It is the only weapon we have.

Mr. ARCOS. I understand that. You know, the carrot and stick, we do not us it so often now in foreign policy, maybe because the cold war ended. But I am reminded having dealt, as the Madam Chairperson mentioned I have been involved in Central America and Latin America in the past, where too often what we did, we used to beat our friends, beat them with the carrot and fed them

the stick in terms of assistance and all that. And I think that we need to be careful.

Mr. HOUGHTON. Well, if you are a friend in a mob of foes, many times, life is not fair.

Mr. ARCOS. I understand. But I think that we need to be thoughtful about how we do this. And I understand your concern here. And I think that the main thing for us is to continue to work with these governments to identify the elements there, the islands of health as I say, and work with these people. Because other than that, I think that we have given up hope.

And in the case of Nigeria that we are discussing here, Mr. Congressman, is very important to us, and important to Africa, and we cannot walk away from it. But we have to engage it. We have to engage it in a way that we can get some productive results.

Mr. HOUGHTON. Let me just say one other thing. And then I will be quiet, Mr. Chairman, because other people want to talk. I understand that. And it is difficult for somebody to come into a hearing, and then go on to another hearing. And you have to live with this thing every day. And you know what progress is being made, and you know what progress is not being made. However, we are not solving the problem. I mean that is clear. There is too much money involved.

So if we could take little pockets, and see where they succeed. And then try to duplicate or emulate those in other areas, that is all I am asking for. And basically, adhering to your own laws internally as well as externally should not be too much of a problem.

Mr. ARCOS. We would hope that is the case. Mr. Nieves wanted to add something.

Mr. HOUGHTON. Well, it is not hope, you see.

Mr. ARCOS. We have to insist on it.

Mr. HOUGHTON. We do not ask very much from this country, because we have got our own problems, and we are the market. But at the same time, here are some of the specifics that we would like you to adhere to. And if you do not want to, that is fine. But you have got to know what our position is.

Mr. ARCOS. I understand.

Mr. HOUGHTON. And therefore, I think in a way that tends, as it has in other areas, to help the friends who ought to have some back bone.

Mr. ARCOS. Well, we have used the certification process clearly to send that message, because there is a penalty to it. And they are understanding that, and trying to reengage us on that. Mr. Nieves wanted to add something.

Mr. NIEVES. Congressman, you asked about Nigeria's laws and how they are enforced. Our information is that they have prison sentences for possession of drugs, for example, that range from 15 to 25 years. Certainly, those if well enforced would certainly be a deterrent to at least those people arrested, and certainly would set an example.

However, no major traffickers have been brought to trial, and extradition of major traffickers have been few and far between. And there are a number of those currently pending, which we would like to see executed.

Let me say on behalf of DEA that if we are going to have a strategy to attack Nigerian trafficking groups, an important component to that strategy is going to have to be a good working relationship with a competent law enforcement authority in Nigeria.

And it is going to be important for us to see Nigeria following that train of thought to publicly and aggressively root out corruption in their institutions. And that would include the NDLEA, their primary drug enforcement agency. And the Customs and other agencies whose track record on narcotics and narcotic related corruption at this point is certainly not good.

And one way, one positive step certainly toward bringing some credibility to these organizations would be to begin to root out corruption, and to create within those organizations internal affairs units to do some self-policing.

We also believe that there are a number of major traffickers currently in custody there, many of whom the DEA or other agencies in the United States want, and we have requested extradition. It certainly would not be unreasonable to see Nigeria to being to grant some of those extraditions for those major traffickers wanted in this country.

And I would share the Ambassador's sentiment regarding specifically the Odelibes brothers, who are very much wanted in this country, and continue to be fugitives.

Mr. HOUGHTON. If I could just interrupt a minute. And you are so much more knowledgeable on this thing than I am. And I even hesitate to be presumptuous enough to suggest. But I do think that we have got two problems. One, the most precious thing we have is our market, which other people want to get into. And the other thing is we do have some sort of power. We may not have it forever, but we have got some power now.

And frankly, I have felt on a whole variety of issues, trade on a broad scale and not just trade in narcotics which is under the table, that we must have some discipline in the system. If this is what you want to do, that is fine, that is your own problem, but do not expect to come into our country.

I mean I really think, and I feel so strongly about this that I would like to really comb over any areas of foreign aid. Personally, I am not going to go against the wishes of my chairman here. But really to put some discipline into the system. There is so little that we can do, but this is one thing we can.

Mr. HASTINGS. Would the gentleman yield?

Mr. HOUGHTON. Yes.

Ms. ROS-LEHTINEN. Mr. Hastings.

Mr. HASTINGS. The decertification process has done an extraordinary amount of that.

But I am just curious to know what you would do with that 9 percent of oil that we get from Nigeria?

Mr. HOUGHTON. You just would have to get it some place else.

Mr. HASTINGS. I see.

Mr. HOUGHTON. And it is available.

Ms. ROS-LEHTINEN. Mr. Houghton, if I could follow up on your question.

Do the panelists believe that we need to have more funds dedicated for visa controls to solve this issue of narcotics trafficking?

Mr. ARCOS. I am sorry, for visa control?

Ms. ROS-LEHTINEN. For visa controls.

Mr. ARCOS. Well, that is not in our area of counter-narcotics.

Ms. ROS-LEHTINEN. But would you see that as a powerful tool in order to stem the tide?

Mr. ARCOS. I certainly think that visa control, if I am not mistaken, I think that Chairman Gilman mentioned earlier the efforts that we did last year in the Congress in terms of dealing with visas of families, associates, and what have you.

But the fact of the matter is that every day in our building we get the fraud that comes in in terms of visas, and passports, and everything. And if these criminal organizations are ingesting condoms with heroin, you can imagine that they would be prepared to circumvent us in the sense of visas. But I think that visa cancellation clearly is an instrument, and should be used according to the laws that we have. But it would not I think totally resolve the problem, it seems to me.

We have to do a multiplicity efforts here. It is the law enforcement efforts that we are trying to carry out with the Nigerians, as well as other efforts in the world, whether it is eradication, whether it is sustainable development, precursor chemicals, or money laundering. All of these things have to accompany the efforts here. It could not just be one, I would say.

Ms. ROS-LEHTINEN. In the interest of sparking up our hearings even further, Mr. Hastings wants to follow up.

Mr. HASTINGS. I just wanted to say to you that obviously visa control is a part of our concern. And the decertification process contemplates it. We do a rather extraordinary job in keeping major families in various aspects of what is called Nigeria's Government out of here.

But situated right on the border of Nigeria is another little country called Niger. And the biggest amount of transshipment of drugs takes place there. And the visa activity as well through Niger, which does not have anything in the final analysis to do with the Nigerian Government. And if I left Niger and were to take you down to Ghana, and you talk to John Rawlins, he would tell you how many Nigerians come through there getting passports. And take you down to the Cote d'Ivoire, and show you the same thing. So it just goes on, and on, and on.

Ms. ROS-LEHTINEN. Thank you, Mr. Hastings.

Before I recognize you, Mr. Chabot, if I could just ask one question from the previous testimony.

Ambassador Arcos, you testified that approximately $500 billion constitutes the worldwide illegal narcotics business. And I am interested in hearing the numbers of the total INM budget, and in understanding that our total antidrug effort in all agencies is $14 billion.

Could you please talk to us about how you see the priorities being spent and being laid out?

Mr. ARCOS. I think, first of all, I was referring to the figure that is the published figure, and the Federal Government's efforts is roughly about $14 billion. And I was making the comparison that we in INL have only $100 million of this. And the total inter-

national narcotics effort is roughly about a half a billion, which is about $500 million.

I did not want to say that somehow people are incorrect in priorities. Because I think that when you look at the other $12 or $13 billion, you are going to see that it is well spent. Mostly drug related problems of incarceration, administration of justice, rehabilitation. All of that across the board is very costly, as you know, in this country. Building prisons and hospitals is very expensive now.

So I think all of that, and I do not take into account also what we probably spent—I could not even begin to guess what we spend at the local, county, municipal, and state level on counter-narcotics. So if you put that in, our effort on the international side is even more——

Ms. ROS-LEHTINEN. Minuscule.

Mr. ARCOS. Minuscule.

Ms. ROS-LEHTINEN. Dwarfed by comparisons.

Mr. ARCOS. Yes.

Ms. ROS-LEHTINEN. Did you want to comment, Mr. Nieves?

Mr. NIEVES. Just one small comment, Madam Chairperson. DEA's 1995 budget was $757 million. Our request for 1996 is $810 million. And we will defer to Miami for one second. The Cali Mafia, which stages out of Miami with regularity, makes by our estimate conservatively about $7 billion profit annually.

Ms. ROS-LEHTINEN. Yes. Thank you. Thank you very much.

Mr. Chabot.

Mr. CHABOT. Thank you, Madam Chairman.

I am also on the Subcommittee on Crime. And we had some Justice Department officials in just yesterday. And one of the things that struck me, and quite frankly concerned me, was I am afraid the de-emphasis on the seriousness in fighting drugs. The number of convictions were down. And to me, it was somewhat alarming.

And I am concerned that perhaps one of the reasons for the loss of focus on how important keeping drugs out of this country and the fight against crime is may go right to the top.

And the President's attitude himself, you know, his very glib comment when he was a candidate was that he had not inhaled. That seemed to be what his response was. Many of the American people still wonder about that. But his whole attitude has really been that it is not that big of a problem, that we have got other things that are more important. And he still gives it lip service.

But I am just concerned that the administration itself is just not serious about fighting the war against drugs anymore. And that is a big concern to me.

I am from an urban district. I am from Cincinnati. I represent the city. Crack is on the rise in Cincinnati. You know, we have got many young mothers now that are involved in crack, and they are neglecting their children.

I used to be a county commissioner before I came here. I was on the city council before I came here as well. And these kids are not basically being dumped on the department of human services, and on the taxpayers. Because the mothers are not taking care of the kids, because they are on crack.

And it is just a terrible problem. I agree completely that it is not just law enforcement keeping drugs out of the country and fighting

crime. I mean we need education. That is absolutely critical. Treatment is critical. But so is law enforcement, the crime fighting.

And I am concerned that the administration, this administration, is unfortunately giving lip service. And I would like your comment on that.

Mr. ARCOS. Mr. Congressman, let me just say that I share your frustration. But at the same time, let me just say I had not planned to come here and speak for the overall administration's position on that. But as a career Foreign Service officer serving whichever President the people of the United States elect, I serve.

Let me just say that the frustration is not new, your frustration and mine. In prior years under other administrations, there have been different comments made on the Hill whether we are doing enough or too much about the drug problem and how to deal with it, whether at the treatment level, at the demand reduction level, or at the law enforcement.

I think that we have tried everything. And we are doing everything, it seems to me. And let me just say in terms of the area that I deal with, and I do not want to here speak for so much the internal domestic, perhaps Mr. Nieves can address that, the domestic efforts, and demand reduction, and treatment, and what have you, and domestic law enforcement.

But on the international effort in my bureau that we have, and this is what we are chartered with, I believe that in the last 2 years, and I do not think that it has anything to do with any partisan reason, because I think that we had full support from both sides of the aisle up here including people such as Chairman Gilman and Mr. Rangle who we spoke to on this issue, and the issue is that on international narcotics we have had probably what we consider a very serious if not the most serious certification process in the history of the certification laws that require us to certify countries, in terms going after what we perceived in years past as friendly countries that we now have national interest waivers, or have decertified.

I think that we have got very serious, and there is transparency in the process, in the interagency process. And we have had long discussions and disputes about it. But I feel that we have given it the best we have had, and I think that we will continue to do that, Mr. Chairman. And this administration has done its share. But let me just say that it could not have done it without the support of the opposition as well, or both sides of the aisle, let me just say that.

And I think that we have worked with both sides of the aisle. We have not made this a partisan issue. And I know that you as a Congressman have your concerns and your obligations to your constituency and your partisan view. And you are right to that. But let me just say that I feel that the administrations that I have served starting way back in the 1970's as a Foreign Service officer, everyone has been sincere about this issue.

I think that there may have been perhaps priorities on the national level at times that get in the way, and the perception has varied. But I feel that we have genuinely had people on this Hill and in the executive branch that are addressing this issue with all

it has, particularly with the few resources we have now, and we are trying to make the best of it.

Mr. HASTINGS. Would the gentleman yield just a moment?

Mr. CHABOT. Yes, I will.

Mr. HASTINGS. I just wanted to point out to you that the Clinton administration for the past 3 years has requested and sent to the Congress a request for increases in law enforcement in the drug enforcement arena. And in neither instance—what I was saying was that the Clinton administration has requested increases in the arena of law enforcement and in drug enforcement. And that is in 3 consecutive years.

And in neither instance, in the past 2 years, have any of those increases come to fruition. And certainly, little remains to be seen. But the drug czar, for whatever that is, is Lee Brown. And they recently issued their report.

I also remind you that this decertification that we are talking about is a Clinton administration initiative with reference to Nigeria, signifying extraordinary concern on the African continent that has been ongoing since I was a new member of Congress.

So it is not as if this administration is doing anything. And I could not resist the pun. The previous administration literally gave lip service by saying, "Just say no to drugs."

Mr. CHABOT. The gentleman's response was obviously very diplomatic. But if you look at the Reagan administration followed up by the Bush administration, it just seems to me that the focus in bringing the American public into the battle against drugs was much more high profile than it is presently.

Former First Lady Nancy Reagan was in town within the past couple of weeks decrying the fact that the "Just Say No" campaign that she was important in starting has gone to some degree by the wayside. And I think that there is some truth.

And one does wonder if perhaps the President is not a bit embarrassed by where he has been in his past on this particular issue, and perhaps does not want to be particularly high profile on it. Maybe that is a political call on his part.

One of the things that concerned me was the number of prosecutions for example were down from 14,000 down to 10,000 or something like that. It does not seem to me that the level of drug involvement has gone down substantially. Yet the convictions have. And that does concern me.

Would the other gentlemen like to comment on these items?

Mr. NIEVES. Congressman, let me say that as a law enforcement officer for 25 years, I do not know that sheer numbers of arrest are really a great barometer for success. I am not quite certain that if there was a directive to go out and arrest people for drug crimes, arrests would increase significantly. I am not sure that they would be the most significant people being arrested, however.

Let me assure you that DEA, our statistical data, may well reflect that our arrests have gone down. I can also assure you that the quality of traffic that we are arresting are among the highest that we can identify.

We are now dealing with organizations that have gone about the business of perfecting ways to defeat law enforcement. And they devise techniques and work through sophisticated series of surro-

gates to do everything they can to make it difficult for the DEA, the FBI, and others to get the evidence and proof necessary to accuse and then convict those organizational heads.

We now see groups that work at a national level, as opposed to an urban level. I, too, saw and sensed your frustration. Being from New York City, and going back to the old neighborhood, it has changed. It has changed, because people have gone about the business of becoming as organized as they possibly can be in getting their drug product to the street, and devising techniques and communication methods to defeat law enforcement, and making our job frankly much more difficult.

In that same vein, we are increasing the quality of our investigations, targeting the highest level of trafficker, and putting together what I believe are some of the most important investigations ever conducted on a narcotics account.

The people we are arresting, it seems to me, are much more significant. And I would submit that the result therefore is indeed more successful than just numbers may indicate. Thank you.

Mr. CHABOT. I thank both gentlemen.

Mr. ARCOS. I wanted to add, if I may, Mr. Congressman, on the issue, when you said the increase or the flows still continue, I think you alluded to that. You know, our studies in working through the White House and other studies that we have and we have looked at, in the last 2 years what we have seen is the number of users go down in this country for hard drugs, but the real what you call hard drug addicts are using more.

And something that we are beginning to look at is the R&D of the illegal drug trade. The purities are incredibly high. When you look at even marijuana, the THC, which Mr. Nieves can tell you all about. When you look at all of the purity of cocaine, and the purity of heroin from where we were 20 or 30 years ago, it is almost double in many instances, if not more.

Consequently, our addicts are consuming that much more, because of this R&D. And so we have to address that. That means that it is costlier too in medical terms, and all of that. So this is sort of a paradox where you see the number of users slightly going down, but at the same time the consumption going up. And this is due to this high tech stuff, and all of the purities that we have.

Ms. ROS-LEHTINEN. Thank you very much. We thank the gentlemen for the excellent presentation, and we sincerely hope that you continue your efforts in the international community to get more African Governments to cooperate with us, and go after not just the couriers, but of course the king pins and the cartels, to help our future and our children's future here in the United States.

Thank you so much to all of you.

Mr. ARCOS. Thank you, Madam Chairperson.

Ms. ROS-LEHTINEN. The committee is now adjourned.

[Whereupon, at 11:01 a.m., the hearing was adjourned.]

APPENDIX

OPENING REMARKS OF HON. ILEANA ROS-LEHTINEN, CHAIRPERSON, SUBCOMMITTEE ON AFRICA

It has been my objective when addressing the issues affecting the African continent, to approach them from a realist perspective, placing U.S. national security interests at the forefront of the discussion. While we must remain sensitive to the historical, cultural, and economic factors shaping developments in the African countries, we must never forget our role and our responsibilities as Members of the U.S. Congress.

In doing so, we have chosen to focus on a topic today which strikes at the core of both U.S. domestic and foreign policy. This is the issue of narcotics trafficking in Africa.

Heroin seizures are now commonplace in Africa, with Nigeria playing a pivotal role as a distribution center. Nigerians seem to surface everywhere in the heroin trafficking networks, paralleling the omnipresence of Colombian drug lords in the Cocaine trade. Addis Ababa's international airport in Ethiopia is being used as a key transit point for heroin shipments destined for Europe and North America. Cote d'Ivoire is a regional hub for heroin and cocaine shipments. Egypt is also a transit point for opium and cannabis. Ghana, Cape Verde, Sierra Leone, Botswana are all becoming transit routes for various types of illegal drugs destined for U.S. ports.

As we have witnessed in recent decades, the illicit drug trade breeds violence and terrorism. This, in turn, leads to greater instability in the region creating grave security risks for the U.S. Zambia has already fallen victim to the such violence. Just last week, on Thursday, March 16th, Mwamba Makasa was viciously gunned down outside his suburban home. Makasa was the first Zambian Drug Enforcement Commission agent attacked in the ongoing battle between drug traffickers and the government of Zambian President Fredrick Chiluba. Lesser attacks have been conducted against other drug commission commanders and top investigators.

Furthermore, drug-related corruption has already infiltrated the highest levels of the Chiluba government, as several ministers have been forced to resign in the face of an investigation into the illegal narcotics network.

This situation is not exclusive to Zambia. There are reports that criminal elements tied to the drug trade are gradually undermining the legitimacy of some African countries, placing new and fragile democracies in a very precarious state.

We must come to terms with the truth.

Narcotics trafficking in Africa is a disaster waiting to happen.

We cannot, I repeat, we cannot allow the U.S. government to be intimidated in the fight against drug lords -- wherever they may be. The U.S. government must aggressively pursue and pressure any government that is a direct or indirect partner in the illegal drug trade. These drugs are destroying our future, by destroying our children.

We must stop disguising this threat with euphemisms.

We may have won some battles, but the war on drugs is not over.

We must protect our borders and safeguard our society from these pollutants -- **BY WHATEVER MEANS NECESSARY**

And now, I would like to proceed with the introduction of our speakers for today's hearing.

Here to discuss the approach, the status of current programs, and other efforts undertaken by the U.S. government are: Ambassador Cresencio Arcos and Mr. Robert J. Nieves.

Ambassador Arcos is a career foreign service officer having served in various capacities in Portugal, Brazil, the former Soviet Union, and Honduras. From 1985-1986, he served as the State Department's Deputy Director of the Nicaraguan Humanitarian Assistance Office. He later served as Deputy Coordinator of the Office of Public Diplomacy for Latin America and as Deputy Assistant Secretary for Inter-American Affairs. In December 1989, he was appointed as U.S. Ambassador to Honduras, serving in this capacity until July 1993 when he was name to his current post.

Our second speaker, Robert Nieves, is the Chief of International Operations for the Drug Enforcement Administration. Mr. Nieves has served 25 years in the DEA in posts both domestic and foreign. Immediately prior to his current position, he served as Chief of the Major Investigations Division of DEA.

Chairman Benjamin A. Gilman
Opening Statement
Subcommittee on Africa
"Narcotics on Africa"
Friday, March 24, 1995
9:30 a.m., 2255 Rayburn

Thank you Madam Chairperson, for allowing me to participate in this important hearing on narcotics in Africa.

Also, let me congratulate you for examining such an important topic. The drug crisis in America continues to worsen. As members of the International Relations Committee, there is much we can do in the fight against drugs before they reach our shores.

The problem of Nigerian drug trafficking has not received the attention that it deserves. Today we start to turn that around. Nigerian couriers are responsible for a large portion of the heroin and cocaine that enter this country. Additionally, Nigeria is becoming an important center for international drug money laundering.

While back in my district in New York several weeks ago, I was informed by DEA officials that the heroin entering the U.S. is purer and cheaper today than it ever has been.

The State Department and the Drug Enforcement Administration have done an excellent job of identifying Nigeria as a major source of drug trafficking and taking punitive measures against Nigeria. The Administration should receive credit for decertifying Nigeria in the last two years.

But I think we can explore additional policy options. We must get at the mechanisms that allow Nigerians to be such effective drug couriers--passports and visas. As a condition for re-certification, Nigeria should cancel the passports of all known or suspected drug couriers. Also, Nigeria must establish, in law, harsher penalties for the document fraud that facilitates this trafficking.

We increased penalties for visa and passport fraud in the U.S. last Congress. I see no reason why Nigeria cannot do the same.

Madam Chairperson, let me again thank you for holding this hearing and for your leadership on this issue. We have an excellent panel of witnesses today, and I look forward to their testimony.

STATEMENT OF DEPUTY ASSISTANT SECRETARY OF STATE
FOR INTERNATIONAL NARCOTICS AND LAW ENFORCEMENT AFFAIRS
CRESENCIO ARCOS
BEFORE THE
HOUSE INTERNATIONAL RELATIONS COMMITTEE
SUBCOMMITTEE ON AFRICA

MARCH 24, 1995

Madam Chairman and Members of the Committee:

Thank you for inviting me to appear before your committee today. While I am here to focus specifically on Nigeria, I would like to present my comments within the context of our broader international narcotics control policy.

Since we testified before Congress on our International Narcotics Control Status Report (INCSR) last year, much has changed--not the least of which is the composition of this committee. I especially appreciate the concern about international narcotics trafficking the new members are showing by taking an interest in these hearings. I am anxious to work with all of you. My bureau has also changed. In a move that reflects the growing complexity of foreign affairs challenges in the post-Cold War era, we are now the Bureau of International Narcotics and Law Enforcement Affairs--INL. But today, as you requested, I will direct my comments to the drug threat from Africa and Nigeria, our policy to combat it, and the resources we need to accomplish this task.

The Threat

Madam Chairman, allow me to outline briefly the nature of the international narcotics threat that we have presented in greater detail in this year's INCSR.

The spread of international narcotics trafficking constitutes one of the most persistent and serious challenges to America's forei . and domestic interests in the post-Cold War era. In his January address at Harvard, Secretary Christopher identified the need to attack international narcotics trafficking and organized crime as one of the five key objectives of our foreign policy.

From a domestic perspective, it is becoming increasingly clear that we cannot sustain a reduction in drug use without significant progress against foreign supplies. The United States has worked hard to reduce consumption--in effect, upholding our end of the international bargain to cut demand. We have achieved noteworthy progress: cocaine consumption by casual users fell significantly between 1985 and 1992, and heroin consumption has remained stable for a long time. This occurred despite inadequate international

efforts to reduce supplies. But recent data indicate that drug use in the United States is again rising. This suggests that our best efforts to reduce consumption will be overwhelmed if we cannot control supplies.

On the foreign front, the wealth and power of the international narcotics trade pose additional challenges to our interests. The trade generates hundreds of billions of unregulated dollars annually that cause enormous disruptions on economic planning and growth. It is a political threat: trafficker corruption and intimidation can destroy democratic institutions and their leaders. And it inflicts staggering social costs, condemning millions of drug users to painful, sick, and unproductive lives.

The potential for the problem to get worse is great. The rapid expansion and growth in communications and trade are making it easier for contraband, dirty money, and smugglers to move across borders undetected. In addition, the breakdown of central authority and the disruption of law and social order in several regions of the world are producing safehavens for new and established criminal organizations to base their operations. It is against this backdrop that Nigeria has emerged as one of the most significant drug trafficking hubs in the world, and that the rest of Africa looms as a potentially major center for narcotics production, trafficking, and money laundering in the future.

Status Report

A snapshot look at the results of our efforts last year presents a decidedly mixed picture. Thanks to US leadership, more governments than ever are aware of the drug threat and have expressed their willingness to combat it. Domestic legislation was introduced in several countries restricting the spread of precursor chemicals or the use of the nation's financial institutions to launder trafficking proceeds. Important advances were made in attacking drug crops, particularly through US-supported efforts to eradicate opium poppies in Venezuela and coca in Colombia. And uncommon police efforts resulted in arrests of major traffickers in Thailand, Peru, and other key countries.

Still, the core of the drug trade remains intact. Cocaine is still our largest problem and continues to generate the most narcotics-related money and crime, but heroin is getting worse. Both drugs remain enormously abundant on the global market. Coca cultivation and production, after falling significantly in 1993, rose in 1994. Worldwide opium production was down 10 percent in 1994, but this was due primarily to bad weather that affected Burma's crop--the world's largest--and not enforcement. Much of Burma's loss was offset by increased production in Afghanistan, the second largest producer.

Meanwhile, the core trafficking organizations responsible for drug processing and for financing and managing the global drug trades continue to operate with impunity from political and judicial safehavens around the world. This occurs because authorities lack either the will to go after them or the institutions to capture and prosecute them--or both. The organizations include not only the ones based in source areas--such as Colombia, Burma, and Pakistan--but also increasingly powerful organizations that specialize in narcotics transshipment and distribution, such as those in Nigeria.

Nigerian traffickers have benefitted enormously from these trends. The country's location between two overly-stocked drug producing regions, Lagos' emergence as a regional commercial hub, the increasingly entrenched nature of Nigeria-based organized crime, and the failure of the government to strike powerfully at these groups have given them the opportunity and freedom to operate worldwide.

Policy Framework

When we testified last year, we promised that this Administration would not conduct a business-as-usual attack on the drug trade. We promised to implement a policy that ensured greater bilateral and multilateral cooperation against the trade and a sharper attack on its most critical elements. This approach was driven by the need to sustain efforts that worked, respond to new drug trafficking threats, and make more effective use of limited resources. We are not satisfied with simply raising the costs of doing business for the traffickers. While this is certainly a goal, we expect more from international antidrug operations. We want concrete and sustained progress at reducing narcotics crop production and we want the most powerful trafficking organizations in the world dismantled through effective law enforcement operations.

We are keeping our promise. While we have shifted our focus increasingly to the source countries, we are taking a more surgical view of how to destroy major transit and transshipment operations. Both concentrations are occurring against the backdrop of enhanced efforts to strengthen antinarcotics institutions of cooperating countries so they can shoulder more of the drug control burden. In conjunction with this effort, we are concentrating more intelligence and enforcement pressure on the kingpin organizations. We are also expanding our approaches to multilateral organizations. And we are making much more stringent use of the certification process.

Certification

Let me first discuss this year's certification. Certification is one of the most powerful tools the President

has to focus international attention on the narcotics threat and achieve results. The Foreign Assistance Act requires that each year the President identify the major drug-producing and drug-transit countries and determine whether they have fully cooperated with the United States or taken adequate steps on their own in narcotics control. The United States must cut off most foreign assistance to those countries that are not certified and vote against their requests for loans from multilateral development banks. For countries found not to be fully cooperating or taking adequate steps on their own, the President may grant a national interest certification if the vital interests of the United States require continued provision of foreign assistance.

Last year we reported to Congress that President Clinton issued the toughest certification decision ever: 10 of the 26 major producing and transit countries were either denied certification or granted a national interest certification. This year, the process was even tougher. We expanded the majors list to 29 countries--adding the Dominican Republic, Haiti, Taiwan, and Vietnam, and deleting Belize. And in his decision on March 1, the President denied certification to five countries and granted a national interest certification to six others--a total of 11 countries, one more than last year.

As last year, these were difficult decisions based strictly on the 1994 counternarcotics performance of these countries and our national interests. There were no "rubber stamp" decisions. Indeed, many countries with whom we have strong bilateral relations were affected. Let me summarize these decisions, then make some separate comments on Nigeria.

- Two countries that had been granted national interest certifications last year--Laos and Panama--were moved to the fully certified category because of their improved performance and cooperation with us.

- Three countries were given national interest certifications for the first time: Colombia, primarily for its failure to take actions as promised against the Cali leaders; Pakistan, for not moving soon enough with significant actions against opium crops, heroin producers, and kingpins; and Paraguay, for lack of credible action against official corruption.

- Afghanistan, which had been granted a national interest certification in 1994, was denied certification owing to a substantial rise in opium production.

- Burma, Iran, Nigeria, and Syria were denied certification again, and Bolivia, Lebanon, and Peru were given national interest certifications again.

The Nigerian Case

Nigeria holds a uniquely unenviable position on this list. Not only did President Clinton deny it certification for the second straight year, it is the only country in this category with whom the United States has maintained close bilateral relations in recent years. Clearly, Nigeria's failure to achieve on the narcotics front is also linked to its inability to make significant progress towards democracy. Adherence to the rule of law and respect for the principle of government accountability are essential for building and strengthening the judicial and other democratic institutions needed to mount effective, corruption-free law enforcement operations. But the country's failure to hold free and open elections, the continuation of military rule, and the permeation of corruption throughout much of government and society continue to undermine democracy and the very institutions needed to sustain effective narcotics control.

Allow me to summarize briefly the significance and consequences of Nigeria's poor counternarcotics performance in 1994. Nigeria plays a relatively simple, but critical role in the international drug trade. The country is not a major drug producer or processor; it is not a major money laundering center. It is, however, home to some of the most sophisticated and finely-tuned transshipment, money-moving, and document-forging organizations in the world. Nigerians emerged on the drug scene over a decade ago as heroin smugglers, and for a while their efforts in the United States were contained. But as their reach expanded into other areas, they developed a network of courier organizations that have provided critical smuggling links between remote drug producers and western markets. With a worldwide reputation for running large-scale, effective, and efficient operations, they are sought out by both Asian and Latin American drug producers. Increasingly they are branching out into other West African countries, further compounding the problem.

As the Nigerians became increasingly well-known to international law enforcement authorities, evidence and intelligence began pointing to the need to destroy their organizations by focusing operations on the Nigeria-based leadership. This is fundamentally a law enforcement challenge that requires strong police and judicial institutions, but not a large capital investment. The United States has focused on these low-cost institution-building needs through its DEA office in Lagos, through training and other forms of technical assistance in recent years. In short, the operational challenges are not insurmountable; the Government of Nigeria can overcome them if it has the will to do so.

Throughout 1993 and most of 1994, however, the Government of Nigeria systematically failed to respond to what is clearly the core problem. In August, it did extradite three important traffickers to the United States. Nevertheless, drug investigations and operations launched by the Nigerian Drug Law Enforcement Agency (NDLEA) and other enforcement agencies continued to focus principally on low-level couriers and not the indispensable kingpins even though the NDLEA had been created in late 1991 to attack the major organizations. The highest levels of the Nigerian Government were not backing the efforts of their own US-trained authorities or allowing them to do their jobs. Trafficker corruption virtually paralyzed the ability of the police and judicial institutions to pursue drug cases.

The problems were obvious, yet the government seemed unfazed. It replaced the discredited former leader of the NDLEA and expressed concerns about corruption in antinarcotics agencies. However, it did not investigate or punish any senior official for alleged involvement in the drug trade. Moreover, it did not foster or protect an independent judiciary for drug cases, nor encourage prosecution of money laundering cases. It permitted the circumvention and/or intimidation of honest officials. Drug suspects often were released without proper court authorization, and thefts of drug evidence prevented prosecution of drug cases or resulted in the release of drug suspects.

The failure of the corruption-riddled NDLEA to perform anywhere near expectations is particularly condemning. The military general appointed in late 1993 to head the agency pledged to rid it of corrupt officials and downsize its bloated staff of 2,000. He initially relieved 350 staff members, but eventually hired an estimated 700 new agents. Screening and training were inadequate; we know that some current and newly appointed agents have drug ties. NDLEA cooperated minimally with foreign missions. Indeed, its task force created in 1993 to locate traffickers sought by the United States was inactive throughout the year.

Nigeria, as well as the other countries subject to certification, was aware of our expectations in 1994. The government received two demarches: one in the spring that outlined our expectations, and one in the fall that assessed progress. Unfortunately for us, them, and the rest of the world affected by Nigerian trafficking, it apparently chose to ignore them. We will use the same two-demarche process in 1995 to rivet their attention and enhance performance.

Two years of increasingly tough certification decisions by the President should have sent a clear and unambiguous message to Nigeria and other countries faced with certification. It is: Certification is an honest process

and is meant to produce results. We will recognize and reward those countries that respond positively. But countries who doubt our resolve should not think that piecemeal, misdirected, or last-minute efforts to enhance counternarcotics performance will satisfy us. It will not. We expect sustained cooperation focused on confronting the core challenges.

This year's message is already having an impact. Even before the 1995 decisions were announced, Nigeria started responding to the "heat" with stepped-up efforts to extradite traffickers to the United States. It has drafted a drug control strategy and has pledged to finalize it by mid-1995. And in late December, it appointed a special advisor on drugs, money laundering, and advance fee fraud whose task is to coordinate the anti-drug efforts of NDLEA, the police, and the customs agency.

Institution-building

The denial of certification does not affect our counternarcotics assistance to Nigeria and we are prepared to go forward with important institution-building initiatives once we are satisfied that they will be supported by the government and not undermined by corruption. From an operational standpoint, tackling the drug threat in Nigeria need not be an enormously expensive undertaking. The focus is on strengthening the investigative and judicial institutions so that they can conduct effective law enforcement operations--including prosecutions--against the kingpins. There are no crops or labs in far-flung corners of the country that can only be found and reached with costly, high-tech equipment. Rather, the operational focus can be limited to the major urban centers where authorities hold sway.

In this regard, we can help by working with the Government of Nigeria to create a solid foundation of asset forfeiture, conspiracy, and other laws that are needed to investigate and convict kingpins. We are preparing to resume training and are seeking to expand information sharing. The Government of Nigeria must improve operational cooperation and make significant strides against corruption in the law enforcement agencies. If the Government of Nigeria moves against corruption and takes other measures that demonstrate its willingness to attack drug trafficking seriously, we believe carefully planned institution-building efforts can begin to transform Nigeria from a narcotics trafficking safe haven into a danger zone.

International Cooperation

The denial of certification to Nigeria does have significant adverse effects on other forms of assistance from

the United States, the government's ability to secure loans from multilateral lending institutions, and Nigeria's world image. By law, denial of certification requires us to cut off all non-humanitarian aid to Nigeria and vote against its requests in multilateral lending institutions. Our bilateral assistance goes to five general categories: child survival, AIDs prevention, family planning, NGO debt purchase, and democracy-building. It is not our intention to touch humanitarian programs: we do not want to hurt the Nigerian people for something their government has done but they cannot control. We are looking at non-humanitarian programs closely, however. Last year, approximately $1.4 million in such assistance was terminated.

Equally significant is our obligation for a second consecutive year to vote against Nigerian requests for loans from multilateral development banks. The certification decision virtually guarantees that any close vote on a Nigerian request will be defeated.

The decision two years running to deny certification--and the sanctions it generates--has clearly stigmatized Nigeria as a pariah narcotics state. The ubiquitous reach of Nigerian traffickers has made them a worldwide scourge. Wherever they go, they transmit an image of corruption and lack of cooperation by the Nigerian government. Our message to Nigeria and the rest of the world is that this problem festers in large part because of a lack of government will, not ability. We and the Government of Nigeria know serious steps they could take to stem the problem, but so far they have not. Nigeria's persistence in not taking these serious steps can only cause further damage to its international reputation. Yet concrete steps to rectify the problem could go a long way to restore the country's image.

Budget

Madam Chairman, through certification, our efforts with the multilateral organizations, and other aspects of our policy, we have set the stage for significantly improved international narcotics control efforts in 1995. We must be prepared to buttress these efforts and provide assistance to countries that demonstrate their commitment to narcotics control. We are, however, mindful of the need to practice fiscal restraint: the President's proposal for the international affairs budget--a mere 1.3 percent of total federal spending for the next fiscal year--is already austere. It reflects important initiatives to streamline our activities and save where we can.

As I noted at the beginning of my statement, our international narcotics control program is an integral part of our broad international efforts to advance America's interests. Today America faces a choice between the concrete

benefits of international engagement and the illusory appeal of isolationism. Those who say they are for a strong America must help keep America strong. We cannot have it both ways. We cannot be the world's most powerful nation if we do not marshal the resources to stand by our commitments. We cannot lead if we do not have all the tools of leadership at our disposal.

For a program that is as small as ours, yet so closely linked to the health and safety of the American people, we have borne our share of recent budget cuts. This has meant cutting our programs to the bone, closing our least critical foreign operations, wiping out most of our pipelines, and shrinking our airwing operations. We continue to postpone the implementation of new programs and, to the extent safety considerations permit, delay upgrades and maintenance. Lack of funds is stymieing our response to the growing heroin threat.

We simply cannot sustain a credible international narcotics control program at current funding levels. We are seeking to consolidate funding from economic and military counternarcotics assistance programs and the traditional international narcotics control budget into one account. We desperately need these funds to follow through on the source country crop control and interdiction programs that are crucial to the success of our strategy. Moreover, the consolidated budget further ensures that the economic and military support funds in particular go strictly for counternarcotics objectives. This is a practical way of tightening counternarcotics oversight and makes good fiscal, policy, and national security sense.

Conclusion

Madam Chairman, in the post-Cold War era you can hardly find a foreign policy issue that has such an immediate and direct detrimental effect on so many Americans as the international drug trade. There should be no question that the resources we spend on combatting this problem abroad serve first and foremost the American people. I strongly believe that if we do not get ahead of this problem overseas, it will eventually overwhelm our best domestic efforts to combat narcotics abuse, crime, and poverty.

Our global policy and strategy, which specifically include responding to the Nigerian threat, are designed to strike at the heart of the international narcotics trafficking problem. They contain no magic bullets or quick solutions. Nor do they pretend to go after the easy targets; the easy targets are often the least consequential. Instesd, they seek to put pressure on the most important parts of the trade--the producers and the most powerful traffickers that run it.

By taking this approach, we are challenging the key countries and the rest of the international community to undertake more aggressive and effective antidrug efforts. We are running into political resistance from some countries. We believe, however, we csn work through this resistance with carefully designed assistance programs, effective institution-building, and honest use of the certification process. Your support will clearly strengthen our hand and accelerate the progress that recent events have shown can be achieved through focused and sustained efforts.

Thank you.

PREPARED STATEMENT OF ROBERT J. NIEVES, CHIEF OF INTERNATIONAL OPERATIONS, THE DRUG ENFORCEMENT ADMINISTRATION, U.S. DEPARTMENT OF JUSTICE

Madame Chairman and Members of the House International Relations Subcommittee on Africa: I appreciate this opportunity to appear before you today to discuss the drug trafficking situation in Nigeria and how DEA is responding to the threat posed by West African, primarily Nigerian, traffickers.

I would like to begin today by giving you a brief overview of Nigeria's role in the worldwide drug trade and provide you with information on how Nigerian traffickers impact on the United States's heroin and cocaine trade. However, before I discuss specific West African trafficking methods and routes, it is important to give a brief overview of the worldwide drug situation, and a description of the major drug enemies DEA faces on a day-to-day basis.

The bulk of the cocaine traffic in the world had always primarily been generated from two areas of Colombia -- Medellin and Cali. With the death of Pablo Escobar in 1993 and the disintegration of the Medellin cartel, the Cali Mafia has emerged as the most powerful international drug trafficking organization in history, controlling over 80 percent of cocaine on American streets from their sanctuaries outside this country.

The Shan United Army headed by Khun Sa, the Burmese opium warlord, has become the biggest worldwide producer of heroin. Southeast Asian heroin trafficking is often controlled by ethnic-Chinese and West African traffickers, primarily Nigerians, who oversee the smuggling of heroin into the United States. Many of these trafficking organizations smuggle shipments of 50 to 70 kilograms into the U.S. on a regular basis.

Since the late 1980's, domestic drug trafficking gangs have become responsible for the vast majority of the violent drug trafficking, which has transformed many of our cities and rural areas into virtual war zones. Today's gangs are well armed and violent, and they have grown from unstructured and undisciplined groups into sophisticated criminal organizations.

Nigeria does not produce heroin or cocaine, but Nigerian traffickers are pivotal to the worldwide trafficking of both substances. Nigerian smugglers are a major force in the U.S. drug trade; they are responsible for smuggling heroin and increasingly, cocaine into the United States. These traffickers have become more sophisticated in the past decade, and have a worldwide network of couriers and routes to facilitate their work, and are extremely resourceful and creative in developing methods for concealing the heroin that they smuggle into this country from Southeast Asia.

Nigerian organizations are often headed by drug barons who direct trafficking networks from their home base in Lagos. Nigerian organizations are formed along tribal lines and are close knit groups of relatives and long-time friends. The leaders remain well-insulated by directing lower-level traffickers to recruit couriers of diverse nationalities and backgrounds and to organize heroin transportation to the United States.

Couriers working for Nigerian trafficking organizations use a variety of routes to smuggle heroin from Thailand -- the major Southeast Asian heroin source for Nigerian

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traffickers -- to the United States. These organizations dispatch large numbers of couriers who use "body carry" techniques and ingestion or swallowing to conceal heroin. These couriers travel aboard commercial airlines from Southeast Asia, often transiting Europe and Africa bound for the United States, and they smuggle from 1 to 10 kilograms of heroin per trip. When they are caught, the average amount of heroin seized from them is about 5.7 kilograms.

It is informative to see the lengths to which Nigerian traffickers will go to avoid detection as they facilitate heroin trafficking into the United States. A few examples of the convoluted routes used by Nigerian traffickers demonstrates this clearly.

- Two U.S. citizens -- recruited by Nigerians -- flew from Baltimore, Maryland, to the Netherlands and then to Nigeria, where they were given 6 kilograms of heroin. The couriers then flew from Lagos to Mexico City and attempted to cross into the United States at San Ysidro, California, where they were arrested.

- Nigerian organizations are increasingly routing heroin couriers to Chicago by way of Honolulu. As a result, Chicago now serves as one of the most important, if not primary, hubs of heroin trafficking activity by Nigerian groups in the United States. Last summer at Honolulu International Airport, U.S. Customs officials arrested two British female couriers with 7 kilograms of Southeast Asian heroin concealed in a false-sided suitcase. The couriers, who were recruited by a female had arrived in Honolulu on a flight from Manilla. From Honolulu, the females were to fly to Chicago to deliver the heroin. A controlled delivery of the seized heroin was made by DEA and U.S. Customs Service agents in Chicago, where a British and Nigerian male were arrested.

Nigerian organizations operate in several large metropolitan areas across the country including Chicago, Houston, and New York, and supply established heroin distribution networks in U.S. cities such as Atlanta, Dallas, New York, and Washington, D.C. These networks are capable of supplying multi-kilo quantities of heroin to their customers on a regular basis.

To address the problems associated with Nigerian trafficking groups, DEA has undertaken some cooperative efforts with the Government of Nigeria. These efforts, however, have been minimally successful. The Nigerian Drug Law Enforcement Agency (NDLEA) is the primary drug law enforcement agency in Nigeria. In March 1991, an NDLEA/DEA task force was created to target major international Nigerian-based heroin smuggling organizations. Unfortunately, we have not achieved that goal because the NDLEA has focused its attention primarily on low-level drug couriers and has not taken action against any major traffickers.

The Government of Nigeria appears to have initiated some narcotic related policies, however, none have come to fruition. For example, Nigeria developed a national drug

control policy, but did not sign the plan into law. The Nigerian Government also engaged a team of American legal and other experts to examine the nation's money laundering statutes to strengthen them. To date, however, no arrests or prosecutions for money laundering have been made. There is also a lack of cooperation between the various government agencies in Nigeria, which does not help in bringing drug traffickers to justice.

Last year, ONDCP Director Lee Brown met with government officials in Nigeria to discuss the drug situation in Nigeria. Shortly before his arrival, the Nigerian Government agreed to extradite three DEA fugitives to the United States. However, the Government of Nigeria has 10 outstanding extradition requests, six of which are drug related, that they have failed to act on.

Challenges to Law Enforcement

Despite these efforts, effective law enforcement action against Nigerian trafficking organizations continues to be hampered. Corruption continues to be a problem in the NDLEA and other drug law enforcement agencies in Nigeria, and a lack of cooperation has hindered serious enforcement efforts against Nigeria's major heroin traffickers. Corruption is also a problem in the judicial system. In some instances, suspected drug traffickers have been released from prison without proper authorization, and drug evidence has disappeared before trial, resulting in the release of the suspects.

Another problem posed by Nigerian trafficking organizations is their different languages and dialects, which makes it extremely difficult for law enforcement to penetrate these organizations. These linguistic characteristics together with the tribal based organizational structure of Nigerian trafficking groups represent significant challenges to our ability to conduct wiretap investigations or other effective techniques. In addition, because these groups are organized along kinship, political and cultural lines, it is extremely difficult, if not impossible, to penetrate these well-insulated, close-knit groups.

Conclusion

Although DEA remains challenged in many respects by Nigerian trafficking organizations, we will continue to address the emerging threat posed by these groups to uncover where they are vulnerable to aggressive law enforcement programs.

This concludes my statement Madame Chairman, and I would be pleased to answer any questions that you or the Members of the Subcommittee may have.

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